

## REMARKS

The present amendment is submitted in response to the Office Action dated April 7, 2003, which set a three-month period for response. Filed herewith is a Request for a One-Month Extension of Time, making this amendment due by August 7, 2003.

Claims 1-9 are pending in this application.

In the Office Action, claims 1-5, 8, and 9 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,878,991 to Krimmer. Claims 1-5 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,205,593 to Sakakibara.

The Applicants note with appreciation the indicated allowability of claims 6 and 7, if rewritten in independent form to include the limitations of the base claim and any intervening claims.

In this amendment, the Applicants have amended claim 1 to add the features of allowable claim 6 and have added new claim 10, which combines claim 1 with claim 8.

The present invention relates to two embodiments of an electromagnetically actuatable valve. Figure 1 shows an embodiment, in which closing element 11 is embodied as an umbrella-shaped sealing having an umbrella membrane. That umbrella sealing is flexible, particularly when manufactured of a silicon rubber. Figure 2 discloses an embodiment, in which

closing element 11 and damping element 14 are designed as an integral damping shoe 15.

Neither the Krimmer et al nor the Sakakibara reference discloses an embodiment corresponding to the first and second embodiments of an electromagnetically actuatable valve, as described above.

Krimmer et al shows a valve having a valve seat body that has a valve opening with the valve seat. A spring-loaded valve member cooperates with the valve seat, in which the valve member forms the magnet armature of an electromagnet and is disposed between the valve seat body. That valve seat body acts as a check yoke of the electromagnet. A valve member has a coaxial through-opening that extends outward to cover one face end of the valve member and on the other face end of the valve member, protrudes past this valve member. Longitudinally continuous axial grooves are opened toward the through-opening and are made within the valve member being filled with damping material. The damping material protrudes past the second end face of the valve member to provide for a long-term damping of switching noises.

Sakakibara, on the other hand, shows a pressure control device for applying modulated pressure to a servo chamber of a vacuum servomotor in response to an output signal from an electric control circuit. The control device includes a modulator valve for modulating pressure in the servo chamber. A solenoid winding is to be energized by the output signal from the electric control circuit. A pole of magnetic material is disposed within the winding. A spring loaded armature of magnetic material is positioned to faces the pole and

operatively connected to the modulator valve. A shock absorber 77a, 77 is mounted on the pole to receive the armature thereon upon energizing of the winding.

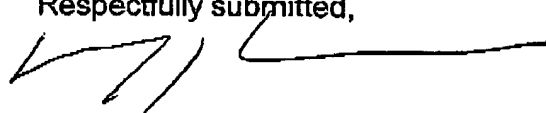
Thus, the Applicants respectfully submit that new claim 10, which combines the features of claims 1 and 8, is also patentable over the cited references, since claim 10 defines that closing element (11) and the damping element (14) are designed as an integral damping shoe (15). Neither of the cited references discloses or suggests an integral damping shoe formed on a closing element and the damping element.

Therefore, the Applicants respectfully submit that claims 1-5 and 7-10 are patentable over the cited references. The Applicants further request withdrawal of the rejection of claims 1-5, 8, and 9 under Section 102 and reconsideration of the application as herein amended.

In light of the foregoing arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'W' followed by a horizontal line.

Michael J. Striker  
Attorney for Applicant  
Reg. No.: 27233  
103 East Neck Road  
Huntington, New York 11743  
631-549-4700